

AMENDED IN SENATE MARCH 26, 2003

AMENDED IN SENATE MARCH 12, 2003

**SENATE BILL**

**No. 88**

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**Introduced by Senator Chesbro**

January 27, 2003

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An act to add Section 23399.6 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

SB 88, as amended, Chesbro. Alcoholic beverages: permits: winegrowers.

Existing law permits the Department of Alcoholic Beverage Control to issue special temporary licenses and permits to various entities for limited purposes.

This bill would permit the department to issue a special event permit to allow a licensee under a winegrower's license to sell bottled wine that is produced by the winegrower at an event held by a tax-exempt organization for not more than 5 consecutive days at an approved place.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 23399.6 is added to the Business and  
2 Professions Code, to read:  
3 23399.6. (a) Any licensee under a winegrower's license may  
4 apply to the department for a special event permit. A special event  
5 permit under a winegrower's license shall authorize, at an event

1 held for not more than five consecutive days, at any place in the  
2 state approved by the department, by an organization that is  
3 exempt from taxation as described in Section 23701 of the  
4 Revenue and Taxation Code, the sale of wine in bottles that is  
5 produced by the winegrower. The permit shall be valid only for the  
6 one special event period for a maximum of five consecutive days.

7 ~~The~~

8 (b) (1) The department shall notify the city, county, or city and  
9 county where the special event, for which the permit is issued, is  
10 to be ~~held~~. *held within five calendar days from the receipt of the*  
11 *application for the permit.*

12 (2) *The local agency receiving the notification from the*  
13 *department may object to the issuance of the permit. If the local*  
14 *agency objects to the issuance of the permit, they shall transmit*  
15 *that objection to the department within 15 calendar days of receipt*  
16 *of the notice from the department.*

17 (3) *The department shall make the determination with regard*  
18 *to the issuance of the permit within five calendar days of receipt*  
19 *of any objection from the local agency or within 30 calendar days*  
20 *from receipt of the application for the permit, whichever comes*  
21 *first.*

22 ~~(b)~~

23 (c) The fee for the permit shall be fifty dollars (\$50).

24 ~~(e)~~

25 (d) All money collected as fees pursuant to this section shall be  
26 deposited in the Alcohol Beverage Control Fund, as described in  
27 Section 25761, for allocation, upon appropriation by the  
28 Legislature, as provided in subdivision (d) of that section.

